

2003080-0069
(SK-744-CON2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danishefsky *et al.* Examiner: T. Solola
Serial No.: 09/808,451 Group Art Unit: 1626
Filed: March 13, 2001
For: *Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof*

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Sir:

TRANSMITTAL

Enclosed please find the following documents regarding the above-referenced matter:

- 1) Petition Under 37 CFR § 1.10 (c) and;
- 2) Return Postcard.

Additionally, please charge any further fees associated with this filing or apply any credits to our Deposit Account No. 03-1721.

Respectfully submitted,

Karoline K.M. Shair, Ph.D.
Registration No. 44,332

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000
Dated: June 29, 2001

3285839_1.DOC

I hereby certify that this correspondence is being
deposited with the United States Postal Service as first
class mail in an envelope addressed to: Assistant
Commissioner For Patents, Washington, D.C. 20231
on June 29, 2001



EXHIBIT A
CHOATE, HALL & STEWART
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
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ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, D.C. 20231

Express Mail No.: EL603009518US
Date Filed: March 13, 2001

Attorney Docket No.:
2003080-0069 (SK-744-US/CON2)

UTILITY PATENT APPLICATION TRANSMITTAL
(FOR NEW NONPROVISIONAL APPLICATIONS UNDER 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s): Samuel J. DANISHEFSKY, Peter BERTINATO, Dai-Shi SU, Dongfang MENG,
Ting-Chao CHOU, Ted KAMENECKA, Erik J. SORENSEN, Aaron BALOG,
and Kenneth A. SAVIN

Title: *Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof*

A) APPLICATION ELEMENTS:

- 1) X **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2) X **Specification** TOTAL PAGES: 112
 - Descriptive Title of the Invention
 - Cross References to Related Applications (if applicable)
 - Statement Regarding Federally Sponsored R & D (if applicable)
 - Reference to Microfiche Appendix (if applicable)
 - Background of the Invention

EXPRESS MAIL NO.: EL603009518US
DATE FILED: MARCH 13, 2001

(Specification continued)

- Summary of the Invention
- Description of the Drawing (if filed)
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention

3) ☒ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 59 (original)

(both originally filed and formal drawings are submitted herewith) 76 (formal)

4) ☒ **Oath or Declaration**

TOTAL PAGES: 10

a) ☐ Newly Executed (original or copy)

b) ☒ Copy from a prior application (37 C.F.R. § 1.63(d))

i) ☐ DELETION OF INVENTOR(S): Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c) ☐ Unexecuted

5) ☐ **Microfiche Computer Program** (Appendix) (if applicable)

6) ☐ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

a) ☐ Computer Readable Copy

b) ☐ Paper Copy (identical to computer copy)

c) ☐ Statement verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

7) ☒ **Assignment Papers** (as filed in parent application; with cover sheet & document(s)); (2 sets: Reel/Frame: 9008/0728, Reel/Frame: 9234/0239) (12 pages)

8) ☐ **37 C.F.R. § 3.73(b) Statement**

9) ☒ **Power of Attorney** (combined with declaration provided) and copy of the Notice Regarding Power of Attorney (1 page)

10) ☐ **English Translation Document** (if applicable)

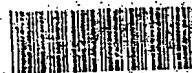
- 11) X Information Disclosure Statement (IDS)/PTO-1449 and Statement Filed Pursuant to the Duty of Disclosure. (6 pages total)
- 12) Copies of IDS Citations (not checked, because documents provided in 08/986,025)
- 13) X Preliminary Amendment (4 pages and 6 pages of Paragraph and Section Replacements for Preliminary Amendment)
- 14) X Return Receipt Postcard (MPEP 503) (specifically itemized)
- 15) X Small Entity Statement(s) (2 pages)
- a) Newly executed
- b) X Statement filed in prior application; status still desired and proper (37 C.F.R. § 1.28)
- c) Unexecuted Small Entity Statement
- 16) Certified Copy of Priority Document(s) (if foreign priority is claimed)
- 17) OTHER:

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

<u>X</u> CONTINUATION	<u> </u> DIVISIONAL	<u> </u> CONTINUATION-IN-PART (CIP)
OF PRIOR APPLICATION NO:	<u>08/986,025</u>	
FILED:	<u>DECEMBER 3, 1997</u>	
EXAMINER:	<u>T. SOLOLA</u>	
GROUP/ART UNIT:	<u>1626</u>	

FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: The entire disclosure of the prior application, from which an oath or declaration is supplied as detailed above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

D) CORRESPONDENCE ADDRESS:



24280

PATENT TRADEMARK OFFICE

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Please charge the Deposit Account No. 03-1721 for \$1,960.00 to cover the basic filing fee and claim fees for small entity status.. If any additional fees are necessary please charge Deposit Account No. 03-1721.

Respectfully Submitted,

Karoline K. M. Shair, Ph.D.

Reg. No.: 44,332

JOINT

APPLICATION
FOR
UNITED STATES LETTER PATENT

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

BE IT KNOWN, that We, Samuel J. Danishefsky, Peter Bertinato, Dai-Shi Su, Dongfang Meng, Ting-Chao Chou, Ted Kamenecka, Erik J. Sorensen, Aaron Balog and Kenneth A. Savin have invented certain new and useful improvements in Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof of which the following is a specification